

REMARKS

Applicant has carefully reviewed and considered the Final Office Action mailed on February 18, 2005, and the references cited therewith.

Claims 1, 3- 5, 8, 10- 12, 14, 16-18, 20, and 22-24 are amended, and claims 2, 9, 15 and 21 are canceled. As a result, claims 1, 3-8, 10-14, 16-20, and 22-29 are now pending in this application.

For the reasons discussed below, applicant submits that the above amendments clearly place the claims into condition for allowance and do not add new matter or require further consideration and/or search. Accordingly, applicant respectfully requests entry of the amendment pursuant to 37 CFR 1.116.

Objections

Claims 8 and 14 were objected to because the “and” of the penultimate limitation of each respective claim is not necessary. Applicant has deleted the unnecessary “and” and requests that this objection be withdrawn.

The Abstract of the Disclosure is objected to because it does not satisfy the goal of describing the disclosure sufficiently. Applicant has amended the Abstract to better satisfy the goal of describing the disclosure sufficiently. In particular, the amended Abstract describes one method of operation, which is described in greater detail in the paragraphs 0041 to 0045 of the disclosure. Applicant notes that the amended Abstract describes the disclosure as sufficiently as possible within the 150 word limit. Accordingly, applicant requests that the objection to the Abstract be withdrawn.

The Title of the Invention is objected to as not descriptive. Applicant has amended the Title to be more descriptive and requests that this objection be withdrawn.

Claim Rejections – 35 USC §102

Claims 1-2, 8-9, 14-15, 20-21 and 26-29 were rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,393,572 to Datta et al. (“Datta”). Applicant respectfully traverses.

Applicant has amended independent claims 1, 8, 14, and 20 to incorporate the subject matter of dependent claims 2, 9, 15, and 21, respectively, and to provide further clarification by reciting “selectively lowering a speed of a clock signal to a clock speed corresponding with said sleep state.” Applicant submits that Datta fails to disclose this limitation, either expressly or inherently.

Datta discloses “a master-slave configuration wherein a sleepmode activation is effected by the cessation of a clocking signal” (See Datta, Abstract). In particular, Datta discloses sleepmode activation in codec (COder-DECoder) devices. A master device or primary codec 121 provides the clocking signal 131 to slave devices or secondary codecs 122-123, and a power-down of the master device ceases the clocking signal to each of the slave devices (See Datta, col. 2, lines 45-55). In contrast to the presently claimed invention, Datta does not disclose or suggest selectively lowering a speed of the clock signal to a clock speed corresponding with the sleep state. In rejecting dependent claims 2, 9, 15 and 21, the Office action asserts that the cessation of the clock signal in Datta is the same as lowering a speed of the clock signal. Applicant respectfully points out that there is no clock speed when the clock signal has ceased.

Because Datta fails to identically disclose the system, article, method and apparatus recited in amended independent claims 1, 8, 14 and 20, applicant submits that these claims are not anticipated by Datta. Accordingly, applicant requests that the rejection under 35 U.S.C. §102(e) be withdrawn.

Claim Rejections – 35 USC §103

The remaining dependent claims stand rejected under 35 U.S.C. §103 as being unpatentable over Datta et al. and further in view of various combinations of U.S. Patent No. 6,452,425 to Gregorian et al., (“Gregorian”), U.S. Patent No. 6,407,595 to Huang et al., (“Huang”), U.S. Patent No. 6,026,494 to Foster (“Foster”), and U.S. Patent No. 6,445,730 to Greszczuk et al. (“Greszczuk”). Applicant respectfully traverses these rejections.

Applicant submits that at least Gregorian and Huang cannot be properly combined with Datta. As mentioned above, Datta discloses a master-slave configuration wherein a sleepmode activation is effected by the cessation of a clocking signal. Gregorian discloses an automatic frequency rate switch for changing a frequency rate of semiconductor chip. Huang discloses digital clock throttling, i.e., changing a clock speed of an integrated circuit. To merely change frequency rates or clock speeds in Datta, instead of ceasing a clock signal, would prevent the sleepmode activation in Datta. Thus, the proposed modification of Datta would render the system of Datta unsatisfactory for its intended purpose and would not have been obvious. See MPEP 2143.01.

Moreover, none of these secondary references disclose the claimed limitation missing from Datta, namely, selectively lowering a speed of a clock signal to a clock speed corresponding with a sleep state, as recited in independent claims 1, 8, 14 and 20. Because the dependent claims depend directly or indirectly from independent claims 1, 8, 14 or 20, the dependent claims incorporate this limitation from the independent claims. See 35 USC §112, 4th paragraph. For this additional reason, applicant submits that the Office action fails to set forth a *prima facie* case of obviousness.

Accordingly, applicant requests that the rejections under 35 U.S.C. §103 be withdrawn.

Conclusion

Having dealt with all the objections raised by the Examiner, it is respectfully submitted that the present application, as amended, is in condition for allowance. Thus, allowance is earnestly solicited.

If the Examiner desires personal contact for further disposition of this case, the Examiner is invited to call the undersigned Attorney at 603.668.6560.

In the event there are any fees due, please charge them to our Deposit Account No. 50-2121.

Respectfully submitted,
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of April, 2005.

Name

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Signature

